

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RONALD A. NAPIER,

Plaintiff(s)

vs.

HAROLD CARTER, Warden,

Defendant(s)

:
:
:
:
:
:
:
:
:
:
:

Case Number: 1:01-cv-00511

Senior District Judge S. Arthur Spiegel

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . The Magistrate Judge's Report and Recommendation (doc. 22) is ADOPTED IN ITS ENTIRETY. Petitioner's petition for writ of habeas corpus, as amended (docs. 1, 3) is DENIED. Petitioner's Motion for Summary Judgment (doc. 19) is DENIED. The Court hereby ISSUES a certificate of appealability pursuant to 28 U.S.C. § 2253(c)(1) only with respect to grounds one, two, and three of the petition. The Court CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order with respect to grounds one, two and three of the petition would be taken in good faith. Petitioner is hereby GRANTED leave to proceed in forma pauperis on appeal of this Order with respect to these grounds.

9/30/04

James Bonini, Clerk

s/Kevin Moser

Kevin Moser
Deputy Clerk